THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.25522 OF 2006

DATED: 05-03-2007

BETWEEN

Sanjay Goel, S/o. Subhash Goel,
R/o. 124 and 125, Shantiniketan
Colony, East Marredpally, Secunderabad
and another.

...PETITIONERS

AND

Station House Officer,
Rajendranagar Police Station,
Ranga Reddy District and others.

...RESPONDENTS

ORDER:

This writ petition has been filed seeking a Writ of Mandamus to direct the respondents 1 to 3 not to interfere with the right, title, possession and enjoyment of the petitioner over the landed property admeasuring Ac.2.00 cents in Sy.Nos.198/AA and 198/E of Budwel Village, Rajendranagar Mandal, Ranga Reddy District.

2. Counter has been filed by the second respondent stating that the fourth respondent lodged a complaint on 28.11.2006 against the petitioner and on the very same day the petitioners also lodged a complaint against the fourth respondent making counter allegations that the fourth respondent is encroaching the said land whereas the fourth respondent alleged that the petitioners are encroaching the said land. The said complaints were entered

into the General Diary and as the nature of the dispute being civil in nature, the Assistant Commissioner of Police, Rajendranagar, instructed the Station House Officer not to interfere with civil disputes of the petitioner and the fourth respondent. Thus, it is stated that the respondents are not at all interfering with the civil disputes of the petitioner.

3. In view of the aforesaid facts and circumstances of the case,
I am of the opinion that no orders are required to be passed in the writ petition. However, if there is any illegal interference by the respondents with regard to the civil disputes, it is open to the petitioner to make appropriate representation before the Superintendent of Police/Commissioner of Police or to take appropriate action under the Code of Criminal Procedure, 1973 by filing a private complaint.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

March 5, 2007
DSK

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